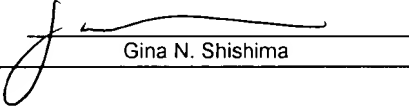




CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

July 28, 2003
Date


Gina N. Shishima

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8/6/03

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BRIAN F. TACK, PAUL B. MCCRAY,
MICHAEL WELSH, SUE M. TRAVIS AND
ROBERT LEHRER

Group Art Unit: 1646

Examiner: KHATOL SHAHNAN-SHAH

Serial No.: 09/642,744

Atty. Dkt. No.: IOWA:026US/SLH

Filed: AUGUST 18, 2000

For: ALPHA HELICAL PEPTIDES WITH
BROAD SPECTRUM ANTIMICROBIAL
ACTIVITY THAT ARE INSENSITIVE TO
SALT

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed March 26, 2003, finally rejecting claims 1 and 3.

The fee for filing this Notice of Appeal is \$160 and is attached hereto.

Also, a request for a one-month extension of time to respond is included herewith. The

extension fee is included in the attached check with the Notice of Appeal fee. This one-month

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extension will bring the due date to July 26, 2003. Should such request or fee be deficient or absent, consider this paragraph such a request and authorization to withdraw the appropriate fee.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed material, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/IOWA:026US/SLH.

Please date stamp and return the enclosed postcard to evidence receipt of this document.

Respectfully submitted,

 REG NO. 45,104 GINA SMITH
for Steven L. Highlander
Reg. No. 37,642
Attorney for Applicants

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(512) 536-3184

Date: July 28, 2003